

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

WILLIE M. WALKER,

Plaintiff,

v.

**Civil Action 2:25-cv-162
Chief Judge Sarah D. Morrison
Magistrate Judge Chelsey M. Vascura**

**COLUMBUS DIVISION OF POLICE,
et al.,**

Defendants.

ORDER

This matter is before the Court on Plaintiff's motion to dismiss Defendant, Dr. Kent Harshbarger, for issuance of a subpoena for Dr. Harshbarger's testimony, and for leave to file supplemental exhibits to the Complaint. (ECF No. 21.)

For good cause shown, Plaintiff's motion to dismiss Dr. Harshbarger as a Defendant is **GRANTED** pursuant to Federal Rule of Civil Procedure 21. The Clerk is **DIRECTED** to terminate Dr. Harsbarger as a Defendant on the docket.

Further, Plaintiff's motion for issuance of a subpoena for Dr. Harshbarger's testimony is **DENIED** as premature. There is no hearing or trial currently scheduled at which witness testimony would be offered. If Plaintiff seeks Dr. Harshbarger's deposition in discovery, no discovery can be taken until the parties confer as to an agreed discovery schedule under Federal Rules of Civil Procedure 26(d) and (f). After the discovery period begins, Plaintiff may request the issuance of a subpoena for deposition testimony of a non-party by filing a completed Form AO 88A, Subpoena to Testify at a Deposition in a Civil Action, with the Clerk of Court.

Finally, Plaintiff's motion to file supplemental exhibits is **GRANTED IN PART**. The supplemental exhibits he submitted to the Court (ECF No. 21-1) are partially duplicative of the documents already attached to the Complaint and to Plaintiff's memorandum in opposition to Defendants' motions to dismiss. (*See* ECF Nos. 1-1, 1-2, 16.) The Clerk is **DIRECTED** to file the exhibits located at ECF No. 21-1, PAGEID #540–610 (*i.e.*, only those that have not already been filed) on the docket. In future, Plaintiff should not submit copies of documents that are already on the Court's docket; instead, Plaintiff should refer to those already-filed documents by docket number.

IT IS SO ORDERED.

/s/ *Chelsey M. Vascura*
CHELSEY M. VASCURA
UNITED STATES MAGISTRATE JUDGE